

REMARKS

In response to the Office Action dated September 25, 2003, Applicants request reconsideration. To further the prosecution of this application, amendments have been made in the claims, and the claims as presented are believed to be in allowable condition.

Each of previously pending claims 1-22 is amended herein. In addition, claims 23-32 have been added. As a result, claims 1-32 are pending for examination, with claims 1 and 17 being independent. No new matter has been added.

Rejection under 35 U.S.C. §101

In paragraph 1 of the Office Action, claims 1-22 are rejected under 35 U.S.C. §101 for purportedly failing to recite statutory subject matter.

Claims 1-16 have been amended to recite at least one computer-readable medium encoded with a program that, when executed, performs a method of administering a context management system. As such, claims 1-16 are directed to statutory subject matter under 35 U.S.C. §101. MPEP §2106 (IV)(B)(1)(a) provides: “a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program’s functionality to be realized, and is thus statutory.”

Claims 17-22 have been amended to recite an apparatus comprising at least one processor programmed to manage and administer context. As a result, each of claims 17-22 is directed to a “process, machine, manufacture, or composition of matter,” which is explicitly designated by 35 U.S.C. §101 as statutory subject matter.

In view of the foregoing, Applicants respectfully request that the rejection of claims 1-22 under 35 U.S.C. §101 be withdrawn.

New Claims

Claims 23-32 are provided to further clarify the Applicants’ contribution to the art.

Each of claims 29-32 depends from claim 1, and is patentable for at least the same reasons as claim 1. Similarly, each of claims 23-28 depends from claim 17, and is patentable for at least the same reasons as claim 17.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, the Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
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